

COURTROOM MINUTES:**The Honorable Nancy K. Johnson Presiding**

Deputy Clerk: Shannon Jones

Interpreter Present? ☒ Yes ☐ NoERQ: SGUEVARA

USPT/USPO: _____

TIME: 2:32 PM 2:23 PM☒ OTHER DISTRICT PHINNEY ☐ DIVISION _____ THEIR CASE# 15mj382

Clerk, U.S. District Court

Southern District of Texas

Filed 05/15/15Rule 5 Documents**PROCEEDING HELD:**☒ Initial Appearance ☐ Counsel Determination Hearing☐ Bond Hearing ☐ Identity☐ Detention Hearing ☐ Preliminary Hearing☐ Hearing Continued on _____☐ Other _____CASE NUMBER ☐ CR _____ ☒ MJ 415MJ648

DEFT:

ZACHARY LEE HUGENSTERNAUSA: MICHAEL CHULINDSAY BELLINGER☒ Date of arrest _____☒ Rule 5☒ Defendant's first appearance, Advised of rights/charges on: ☐ Indictment ☐ Information ☒ ComplaintViolation of ☐ Supervised Release ☐ Probation☒ Defendant ☐ Material Witness appeared☒ with ☐ without counsel☒ Defendant requests appointed counsel.☒ Financial Affidavit executed and sworn.☒ Order appointing Federal Public Defender☐ Order appointing private counsel to follow.☒ Order of partial reimbursement to follow.☐ Oral order, Defendant to Reimburse CJA fund \$ _____☐ Defendant advises that he will retain private counsel.☐ Defendant _____ bond set ☐ Cash ☐ Surety ☐ P/R ☐ Unsecured ☐ _____ Deposit☐ Defendant _____ bond set ☐ Cash ☐ Surety ☐ P/R ☐ Unsecured ☐ \$ _____ Deposit☐ Defendant _____ bond set ☐ Cash ☐ Surety ☐ P/R ☐ Unsecured ☐ \$ _____ Deposit☐ Surety signatures required as to Defendant(s) _____.☐ Defendant(s) _____ advised of conditions of release☐ BOND EXECUTED and Defendant _____ Released☐ Order of Temporary Detention Pending Hearing entered as to Defendant(s)☐ Order of Detention Pending Trial entered as to Defendant(s)☐ Bond revoked ☐ Bond reinstated ☐ Bond Continued☒ Defendant _____ remanded to custody ☐ M/W remanded to custody☒ Defendant Ordered Removed to Originating DistrictDefendant ☒ Waiver of ☐ Preliminary ☒ Identity ☐ Detention Hrg ☐ Detention Hrg this District☐ Court finds: ☐ Probable Cause ☐ Identity☐ Defendant(s) _____ is/are scheduled on: _____ at _____ for: _____☐ Arraignment ☐ Counsel Determination Hearing ☐ Identity Hearing cont.☐ Detention Hearing ☐ Preliminary Hearing ☐ Final Revocation Hearing☐ Bond HearingDEFT WAIVED IDENTITY Hrg IN THIS DISTRICT ALL OTHER Hrgs WILL BE HELD
IN OTHER DISTRICT / ORAL HEARING TO UNSEAL IS GRANTED

SCANNED

MAY 18 2015

U.S. DISTRICT COURT ST. PAUL

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

UNITED STATES OF AMERICA

V.

ZACHARY LEE MORGENSTERN

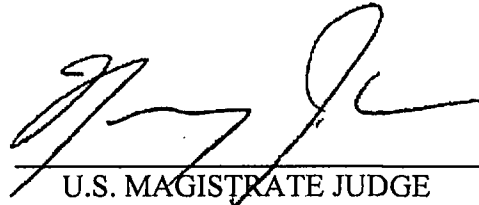
§
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Criminal No:4:15mj648

ORDER APPOINTING COUNSEL

Because the above named defendant has testified under oath or has otherwise satisfied this court that he or she (1) is financially unable to employ counsel, and (2) does not wish to waive counsel, and because the interests of justice so require, the Federal Public Defender, is hereby appointed to represent this person in the above designated case.

Date: 05.15.2015


U.S. MAGISTRATE JUDGE

BY ORDER OF THE COURT

SHANNON JONES
Deputy Clerk

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF TEXAS

HOUSTON DIVISION

UNITED STATES OF AMERICA

vs.

ZACHARY LEE HUGENSTERN

§
§
§
§
§
§

Crim No. H-

4:15mj 648

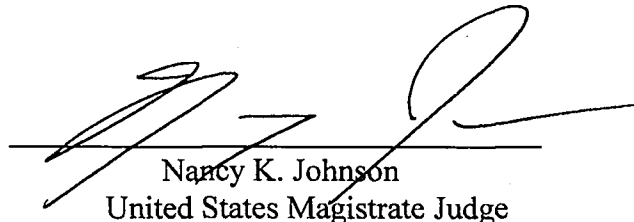
ORDER FOR PARTIAL REIMBURSEMENT
OF COURT APPOINTED COUNSEL

Upon review of Defendant's Financial Affidavit, the Court has determined that the Defendant qualifies for court appointed counsel in accordance with the Criminal Justice Act. At the same time, the Court feels that the Defendant is able to make financial contribution towards his/her legal representation. It is therefore,

ORDERED that Defendant pay \$_____ per month, in the form of a money order or cashier's check, made payable to Clerk, U.S. District Court. Such payment shall be mailed to U.S. District Court, Financial Section, P.O. Box 61010, Houston, Texas 77208 on or before the 20th day of each month.

Alternatively, Defendant is Ordered to make a one-time payment in the amount of \$ 500.00 which shall be forwarded to the above address within 30 days after entry of this Order.

SIGNED on May 15 2015


Nancy K. Johnson
United States Magistrate Judge

UNITED STATES DISTRICT COURT

for the

Southern District of Texas

United States Courts
Southern District of Texas
FILED

MAY 15 2015

David J. Bradley, Clerk of Court

United States of America

v.

Case No. H-15-648-M

ZACHARY LEE MORGENSTEIN

Defendant

Charging District's Case No. 15-MJ-387

WAIVER OF RULE 5 & 5.1 HEARINGS
(Complaint or Indictment)I understand that I have been charged in another district, the (name of other court) DISTRICT OF
MINNESOTA

I have been informed of the charges and of my rights to:

- (1) retain counsel or request the assignment of counsel if I am unable to retain counsel;
- (2) an identity hearing to determine whether I am the person named in the charges;
- (3) production of the warrant, a certified copy of the warrant, or a reliable electronic copy of either;
- (4) a preliminary hearing within 10 days of my first appearance if I am in custody and 20 days otherwise — unless I am indicted — to determine whether there is probable cause to believe that an offense has been committed;
- (5) a hearing on any motion by the government for detention;
- (6) request transfer of the proceedings to this district under Fed. R. Crim. P. 20, to plead guilty.

I agree to waive my right(s) to:

- ☐ an identity hearing and production of the warrant.
- ☐ a preliminary hearing.
- ☐ a detention hearing.
- ☒ an identity hearing, production of the warrant, and any preliminary or detention hearing to which I may be entitled in this district. I request that those hearings be held in the prosecuting district, at a time set by that court.

I consent to the issuance of an order requiring my appearance in the prosecuting district where the charges are pending against me.

Date:

5/15/15

Defendant's signature

Signature of defendant's attorney

LINDSAY BELLINGER

Printed name of defendant's attorney

UNITED STATES DISTRICT COURT

for the

Southern District of Texas

United States of America

v.

ZACHARY LEE MORGENSTERN

Defendant

Case No.

4:15cr00217

Charging District's

Case No.

15cr00382

COMMITMENT TO ANOTHER DISTRICT

The defendant has been ordered to appear in the

District of

MINNESOTA

The defendant may need an interpreter for this language:

The defendant: ☐ will retain an attorney.

☒ is requesting court-appointed counsel.

The defendant remains in custody after the initial appearance.

IT IS ORDERED: The United States marshal must transport the defendant, together with a copy of this order, to the charging district and deliver the defendant to the United States marshal for that district, or to another officer authorized to receive the defendant. The marshal or officer in the charging district should immediately notify the United States attorney and the clerk of court for that district of the defendant's arrival so that further proceedings may be promptly scheduled. The clerk of this district must promptly transmit the papers and any bail to the charging district.

Date:

5-15-15

Judge's signature

Nancy K. Johnson

UNITED STATES MAGISTRATE JUDGE

CLOSED

**U.S. District Court
SOUTHERN DISTRICT OF TEXAS (Houston)
CRIMINAL DOCKET FOR CASE #: 4:15-mj-00648-1**

Case title: USA v. Morgenstern

Date Filed: 05/15/2015

Other court case number: 15-mj-382 United States District
Court, District of Minnesot

Date Terminated: 05/18/2015

Assigned to: Magistrate Judge Nancy
K. Johnson

Defendant (1)

Zachary Lee Morgenstern
TERMINATED: 05/18/2015

represented by **Federal Public Defender - Houston**
440 Louisiana
Ste 310
Houston, TX 77002
713-718-4600
Fax: 713-718-4610
Email: hou_ecf@fd.org
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Public Defender or
Community Defender Appointment

Pending Counts

None

Disposition

Highest Offense Level (Opening)

None

Terminated Counts

None

Disposition

Highest Offense Level (Terminated)

None

Complaints

Disposition

18:844 Threat to Use Explosives,
18:844 Threat to Use Explosives,
18:875 Making Threatening
Communications, 18:924 False

Information and Hoaxes -- Threats to
Use Firearms

Plaintiff

USA

Date Filed	#	Docket Text
05/15/2015	<u>1</u>	Copy of Criminal Complaint as to Zachary Lee Morgenstern, filed.(gkelner, 4) (Entered: 05/15/2015)
05/15/2015	<u>2</u>	Order to Seal Case as to Zachary Lee Morgenstern. (Signed by Judge Janie S Mayeron) Parties notified. (gkelner, 4) (Entered: 05/15/2015)
05/15/2015		Arrest (Rule 40) of Zachary Lee Morgenstern, filed. (gkelner, 4) (Entered: 05/15/2015)
05/15/2015		Set/Reset Deadlines/Hearings as to Zachary Lee Morgenstern: Initial Appearance - Rule 40 set for 5/15/2015 at 10:00 AM in Courtroom 700 before Magistrate Judge Nancy K. Johnson (gkelner, 4) (Entered: 05/15/2015)
05/15/2015		***Set/Reset Hearings as to Zachary Lee Morgenstern: Initial Appearance - Rule 40 set for 5/15/2015 at 02:00 PM in Courtroom 700 before Magistrate Judge Nancy K. Johnson TIME CHANGE ONLY (gkelner, 4) (Entered: 05/15/2015)
05/15/2015	<u>3</u>	Minute Entry for proceedings held before Magistrate Judge Nancy K. Johnson: INITIAL APPEARANCE IN RULE 5(c)(3) PROCEEDINGS as to Zachary Lee Morgenstern held on 5/15/2015. Defendant requests appointed counsel. Financial Affidavit executed. Order appointing Federal Public Defender. Defendant ordered removed to originating district. Appearance entered by Federal Public Defender - Houston for Zachary Lee Morgenstern on behalf of defendant. Oral Motion to unseal case by Government is GRANTED. Appearances:Michael Chu, AUSA, Lindsay Bellinger, FPD.(ERO:S. Guevara) Deft remanded to custody, filed.(gkelner, 4) (Entered: 05/18/2015)
05/15/2015	<u>4</u>	ORDER APPOINTING FEDERAL PUBLIC DEFENDER (Signed by Magistrate Judge Nancy K. Johnson) Parties notified. (gkelner, 4) (Entered: 05/18/2015)
05/15/2015	<u>5</u>	ORDER for Partial Reimbursement of Court Appointed Counsel in the amount of \$500.00 as to Zachary Lee Morgenstern (Signed by Magistrate Judge Nancy K. Johnson) Parties notified. (gkelner, 4) (Entered: 05/18/2015)
05/15/2015	<u>6</u>	Sealed Financial Affidavit CJA 23 by Zachary Lee Morgenstern, filed. (Entered: 05/18/2015)
05/15/2015	<u>7</u>	WAIVER of Rule 5 & 5.1 Hearings by Zachary Lee Morgenstern, filed.(gkelner, 4) (Entered: 05/18/2015)
05/15/2015	<u>8</u>	COMMITMENT TO ANOTHER DISTRICT as to Zachary Lee Morgenstern. Defendant committed to District of Minnesota (Signed by Magistrate Judge

	Nancy K. Johnson) Parties notified. (gkelner, 4) (Entered: 05/18/2015)
05/18/2015	RULE 5 Papers sent to Minneapolis Division as to Zachary Lee Morgenstern, filed.(gkelner, 4) (Entered: 05/18/2015)

PACER Service Center			
Transaction Receipt			
05/18/2015 16:58:19			
PACER Login:	MinnDist:4406639:0	Client Code:	
Description:	Docket Report	Search Criteria:	4:15-mj-00648
Billable Pages:	2	Cost:	0.20